

FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

2019 AUG 20 AM 8:51

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY
DEPUTY

UNITED STATES OF AMERICA

V.

MICHAEL ANTHONY HOLLOWAY

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CAUSE NO. A 06 CR 071 SS

ORDER

The Court considers this case pursuant to its authority under Section 404 of the First Step Act of 2018 and Federal Rule of Criminal Procedure 43(b)(4). Section 404 permits the Court to retroactively apply the statutory penalties modified by the Fair Sentencing Act of 2010 (FSA). *See* First Step Act, 115 Pub. L. 391, § 404, 132 Stat. 5194 (2018). Under Section 404, Michael Anthony Holloway's offense is a "covered offense" for which the Court may impose a reduced sentence. Specifically, his offense was committed before August 3, 2010, and the statutory penalties applicable to his offense were modified by the FSA.

Having considered 18 U.S.C. § 3553(a); the United States Sentencing Guidelines in an advisory capacity; and the Guidelines policy statements pursuant to the Sentencing Reform Act, the Court finds that a sentence reduction is appropriate in Holloway's case. The Court finds that a total sentence of 188 months' imprisonment and 6 years' supervised release is sufficient but not greater than necessary in light of the sentencing objectives in § 3553(a)(2).

Accordingly, the Court hereby ORDERS as follows:

- (1) Michael Anthony Holloway's Unopposed Motion for Sentence Reduction is GRANTED.

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- (2) Michael Anthony Holloway's 262-month sentence is reduced to 188 months on Counts One and Two.
- (3) If this sentence is less than the amount of time the defendant has already served, the sentence is reduced to a time-served sentence.
- (4) The 8-year term of supervised release on Counts One and Two is reduced to 6 years.
- (5) All other terms and provisions of the original judgment remain in effect.
- (6) In order to allow the Bureau of Prisons and Probation to process Michael Anthony Holloway for release, this Order is effective seven days after the Clerk of Court enters it on the docket; and
- (7) A copy of this agreed order shall be transmitted to the Bureau of Prisons immediately.

SO ORDERED on this the 19th day of August, 2019.



SAM SPARKS
SENIOR UNITED STATES DISTRICT JUDGE